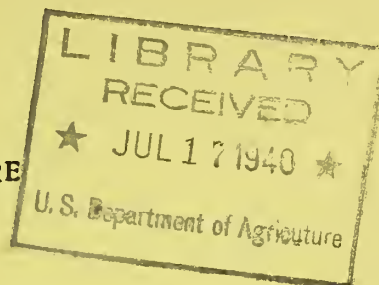


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UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service



REGULATIONS AND INSTRUCTIONS

Governing

ORIGIN VERIFICATION OF ALFALFA AND RED CLOVER SEED

Effective July 1, 1940

Washington, D. C.
June 1940

Title 7
UNITED STATES DEPARTMENT OF AGRICULTURE
Chapter I
Agricultural Marketing Service
Part 59

RULES AND REGULATIONS OF THE SECRETARY OF AGRICULTURE
GOVERNING ORIGIN VERIFICATION OF SEED (INSPECTION AND
CERTIFICATION)

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By virtue of the authority vested in the Secretary of Agriculture by the provision in the Act of Congress entitled "An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1940, and for other purposes," approved June 30, 1939. (Public No. 159, 76th Congress) authorizing the establishment of an inspection service for farm products, I, H. A. Wallace, Secretary of Agriculture, do prescribe and promulgate the following rules and regulations governing the inspection and certification of seed for class and origin, to be in force and effect on and after August 1, 1939, and as long as Congress shall provide the necessary authority therefor, unless amended or superseded by rules and regulations hereafter prescribed and promulgated under such authority. These rules and regulations shall supersede the rules and regulations governing origin-verification of seed approved by the Secretary of Agriculture on July 25, 1933, and amendments thereto.

Subpart A - DEFINITIONS

Section 59.1 Meaning of words. Words in these regulations in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

59.2 Terms defined. For the purposes of these regulations, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) The Act. The following provision of an act of Congress entitled "An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1940, and for other purposes," approved June 30, 1939, (Public No. 159, 76th Congress), or any future act of Congress conferring like authority: "For enabling the Secretary of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of business men or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits and vegetables, whether raw, dried, or canned, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: Provided, That certificates issued by the authorized agents of the Department shall be received in all courts of the United States as prima-facie evidence of the truth of the statements therein contained."

(b) Person. Individual, association, partnership, or corporation.

(c) Secretary. Secretary or Acting Secretary of Agriculture of the United States.

(d) Service. Agricultural Marketing Service of the United States Department of Agriculture.

(e) Seed. Alfalfa seed, red clover seed, and such other kinds of seed used for planting purposes as may be designated by the Chief of the Service.

(f) Class and origin. The designation of the class of seed as to kind, i. e., alfalfa, red clover, and the class as to origin or place where grown, i. e., one or more States, political subdivisions of a State, or districts prescribed or approved by the Chief of the Service, e. g., Ohio; Millard County, Utah; eastern Oregon.

(g) Inspector. Employee of the U. S. Department of Agriculture or other person authorized by the Secretary to investigate and certify the class and origin of seed under the act.

(h) Grower. Any person who has produced the seed in question on his own farm or on a farm operated by him, or who is a seed-crop sharer in such seed.

(i) Shipper. Any person who purchases seed of the kind in question in his locality or district where a surplus of this seed is usually produced, and who ships such seed to other shippers or to general seed dealers.

(j) General seed dealer. Any person who buys and sells seed of miscellaneous kinds either at wholesale or at retail.

(k) Verified-origin seed dealer. A seed dealer who is authorized under these regulations and instructions to issue verified-origin seed certificates for seed inspected as to origin for him.

(k-1) Records. Documents, books, statements, tags, labels, declarations, reports, invoices, seed samples, or any other matter in any form used to record business transactions, operations, or to furnish information for use in the operation of the business of the grower, shipper or dealer, or prepared or issued in compliance with these regulations and instructions as to the movement, origin, quality, or identity of lots of seed grown, handled or moving in commerce.

(K-2) Lot of seed. A quantity of seed more or less defined as to source, use or disposition and identified by a lot number, e. g., grower's lot, milled lot, blended lot, bulk lot, cleaned lot, etc. For the purpose of identification of seed in a verified-origin seed certificate or in an analysts tag or label issued in compliance with these regulations and instructions, a "lot of seed" shall be a quantity of seed of which a

sample taken from any part of the lot will be identical, within tolerances defined in U. S. Department of Agriculture Circular 480, as to source, origin, germination, purity and all other factors with a similar sample taken from any other part of the lot.

(k-3) Lot number. The number, letter, or any combination of numbers or letters, or any other symbol by which a lot of seed is identified until such identity is lost or the number changed as a matter of record.

(k-4) Verified-origin seed. Seed which has been verified as to origin by a Federal seed inspector and which meets quality specifications for seed to be covered by a verified-origin seed certificate under these regulations and instructions.

(l) Declaration of origin. A declaration in a form approved by the Chief of the Service either of a grower stating that he is the grower of the seed in question and certifying to the correctness of certain facts given by him, or of a shipper stating that he has obtained the seed in question from a grower or another shipper and also stating among other things that the facts given by him are correct to the best of his knowledge and belief, and that the place where grown and identity of each lot are properly covered in his records, which will be made accessible for verification by a Federal seed inspector at any time upon request.

(m) Inspection certificate. A certificate of the class and origin of seed issued by an inspector under the act, which certificate is not transferable.

(n) Verified-origin seed certificate. The commercial certificate of the class and origin of seed, based upon one or more inspection certificates previously issued, and which accompanies one or more parcels of seed, issued under the act by a verified-origin seed dealer or an inspector, in accordance with these regulations and instructions.

(o) Interested party. A State or any person who has a financial interest in the seed involved, including all carriers and warehouses which have handled or will handle the seed, the present owner or persons who owned the seed prior to him, and persons to whom the seed has been sold and whose acceptance thereof hinges on the inspection.

(p) Regulations. Rules and regulations of the Secretary governing the certification of seed as to class and origin under the Act.

(q) Instructions. Instructions of the Chief of the Agricultural Marketing Service issued under these regulations.

Subpart B - ADMINISTRATION

59.3 Chief of Service. The Chief of the Agricultural Marketing Service is charged with the supervision of the performance of all duties arising in the administration of the Act.

Subpart C - WHERE SERVICE IS OFFERED

59.4 Where service is offered.

(a) Service points. Seed meeting the requirements of these regulations and instructions may be verified as to class and origin, and inspection certificates issued at points indicated in paragraphs (b) and (c) of this section.

(b) Designated markets. Washington, Chicago, Kansas City, Minneapolis, Cincinnati, Denver, Los Angeles, San Francisco, Portland, Seattle, Spokane, and Ogden are hereby designated as important central markets at which inspectors are located and available for making inspections. Other important markets at which inspectors will be available may be designated by the Chief of the Service from time to time.

(c) Other points. Places where verified-origin seed dealers are located.

Subpart D - INSPECTION

59.5 Basis of inspection. Inspection for class and origin shall be based upon such examination of records, and be made under such conditions and in accordance with such methods, as may be prescribed or approved by the Chief of the Service.

59.6 Who may obtain inspection. An application for the inspection of seed under the act may be made by a State, a verified-origin seed dealer, or any other interested party who has complied with the regulations and instructions pertaining to the making of such application.

59.7 How application should be made. Application for inspection of seed under the act shall be made in writing, on forms approved by the Chief of the Service. Such applications shall be sent to the inspector in the designated market which most conveniently serves the applicant.

59.8 Form of application. The written application for inspection of seed as to class and origin under the act shall be in English, in a form prescribed by the Chief of the Service, and shall include the following information: (a) date of application, (b) name and post-office address of applicant, (c) kind of seed, (d) name of grower, shipper or dealer making shipment, (e) shipping point and post-office address of person making shipment, if different from shipping point, (f) date of shipment, (g) shipper's lot number, (h) applicant's lot number, (i) weight in pounds, (j) place where grown, (k) kind of declaration or

assurance of origin furnished applicant; if assurance accompanying shipment is a verified-origin seed certificate, the name or symbol of the verified-origin seed dealer should be given if different from the seller or person making shipment, and (1) such other information as the inspector or Chief of the Service may require.

59.9 When an inspection may be refused. An application may be rejected by the inspector with whom it is filed or by the Chief of the Service for any non-compliance with the act, with these regulations or instructions, or whenever an inspector is not available for making the inspection, or whenever the evidence is insufficient upon which to determine the correct origin.

59.10 Certificates; issuance. The inspector shall sign and issue an inspection certificate for such lot or lots of seed as are included in the application, the class and origin of which are covered by approved growers' or shippers' declarations of origin, verified-origin/⁸⁸certificates, or other approved assurances of class and origin furnished by the applicant in compliance with instructions.

59.11 Communicating certificate information. Upon request from an applicant for whom an inspection has been made, any part of the contents of the certificate may be telegraphed or telephoned to him at his expense.

59.12 Disposition of certificates. The original inspection certificate, immediately upon its issuance, shall be delivered or mailed to the applicant; one copy shall be filed in the office of the inspector and one copy forwarded to the supervising inspector, Washington, D. C.

59.13 Corrected inspection certificates. A corrected certificate shall be issued for any lot or lots of seed under conditions outlined in paragraphs (a) and (b) of this section.

(a) Correction by applicant. Whenever an applicant for whom an inspection has been made believes the class or other information in connection with any lot or lots of seed, as stated in an inspection certificate issued to him, is not correct, and returns the certificate covering such lot or lots of seed with a corrected application under the same serial number and covering all lots of seed in the original certificate which are eligible for verification, the inspector will investigate the applicant's claims and if he finds them correct he will issue a corrected certificate.

(b) Correction by inspector. Whenever an inspector finds that the class and origin for a lot or lots of seed, or any of the information upon which the class and origin of such lots have been based in an inspection certificate, is incorrect or incomplete, he may request the applicant to return the incorrect certificate with a corrected application under the same serial number and covering all lots of seed in the original certificate which are eligible for verification, and shall then issue a corrected certificate covering the lot or lots in question, and shall retain the original in his files.

Subpart E - FEES AND CHARGES

59.14 Fees and charges for inspections. The fees and charges to be collected for class and origin inspections of seed and method of payment shall be fixed by the Chief of the Service and published in accordance with section 59.16.

59.15 Repealed.

Subpart F - MISCELLANEOUS

59.16 Publications. Publications under the act and these regulations shall be made in Service and Regulatory Announcements of the Agricultural Marketing Service and in such other media as the Chief of the Service may from time to time designate for the purpose.

59.17 Seeds and records made accessible. The applicant shall cause the seed and/or records covering the lots for which inspection is requested, and such other seed and/or records covering other lots of the same kind of seed as that for which inspection is requested which are now or have been owned or stored by the applicant, to be made accessible for examination or inspection, when requested by the inspector.

59.18 Authority of agents. Proof of authority of any person applying for inspection on behalf of another may be required, in the discretion of the inspector.

59.19 Certificate superseded is void. When an inspection certificate has been superseded under these regulations by a corrected certificate no inspection certificate or verified-origin seed certificate issued prior thereto for any corrected lot or lots shall thereafter represent the class and origin of the lot or lots of seed described therein on which incorrect or incomplete information was given. If the original of the superseded certificate is not delivered to the inspector issuing the corrected certificate and proper assurance is not given of the cancellation or correction of verified-origin seed certificates which were based upon such incorrect certificate, the inspector issuing the corrected certificate or the Chief of the Service shall take such action and give such notice of the issuance of such corrected certificate and cancellation of the original inspection certificate or certificates and invalidation of corresponding verified-origin seed certificates as he considers necessary to prevent misrepresentation or fraud.

59.20 Misrepresentation. Any misrepresentation or any deceptive or fraudulent practice made or committed by an applicant for inspection or by any other person regarding any seed or in connection with the verification of origin of seed covered or to be covered by an inspection certificate, or failure in any way to comply with the regulations and instructions, may be deemed sufficient cause for debarring such person from any further inspections under the Act, or from the use of verified-origin seed certificates in the merchandising of alfalfa and red clover seed, or from having any declarations of origin issued by him accepted on which to base verification of origin in the Seed Verification Service, and public notice thereof may be given.

59.21 Political activity. All samplers and inspectors authorized either by appointment or license from the Secretary of Agriculture to draw official samples of seed or to issue inspection certificates under the act and those regulations are forbidden, during the period of their appointment or license, to take an active part in political management or in political campaigns. Political activity in city, county, State, or national elections, whether primary or regular, or in behalf of any party or candidate, or any measure to be voted upon, is prohibited. This applies to all appointees, including temporary and cooperative employees, and employees on leave of absence with or without pay. Willful violation of this regulation will constitute grounds for dismissal in the case of appointees, and revocation of licenses in the case of licensees.

59.22 Inspection records confidential. Records of inspection, including copies of certificates issued, records of such certificates, applicants' accounts, and other detailed information relating to the work of an inspection office are not to be made available to or to be opened for examination by any person who is not connected with the inspection service. Such records are to be held strictly confidential for reference by the inspector in charge of the office and his assistants and by the supervising inspector. Summarized reports which do not disclose the operations of an individual grower, shipper, or other applicant for inspection and which are identified clearly as to source and contents may be released to the public, provided that when so released they shall be published in such manner and in such mediums as will make the information available alike to all interested persons.

Done at Washington, D. C., this 26th day of
July, 1939. Witness my hand and the seal of the
Department of Agriculture.

H. A. Wallace

Secretary of Agriculture.

INSTRUCTIONS OF THE CHIEF OF THE AGRICULTURAL MARKETING SERVICE
GOVERNING THE CERTIFYING OF CLASS AND ORIGIN OF SEED AND THE ISSUING AND
ATTACHING OF VERIFIED-ORIGIN SEED CERTIFICATES TO PACKAGES OR LOTS OF
SEED VERIFIED AS TO CLASS AND ORIGIN BY A VERIFIED-ORIGIN SEED INSPECTOR
AND PRESCRIBING THE CONDUCT OF THE SERVICE PERTAINING THERETO.

By virtue of the authority vested in the Chief of the Agricultural Marketing Service as contained in the rules and regulations of the Secretary of Agriculture, governing the origin-verification of seed, I, C. W. Kitchen, Chief of the Agricultural Marketing Service, do hereby issue in lieu of previous instructions, the following instructions, to be in force and effect, on and after July 1, 1940, unless amended or superseded by instructions issued in lieu thereof.

RULE 1

AUTHORIZATION TO ISSUE VERIFIED-ORIGIN SEED CERTIFICATES

Section 1. Who may issue verified-origin seed certificates.--Verified-origin seed certificates may be issued as follows:

(a) By verified-origin seed inspectors.

A verified-origin seed inspector may issue verified-origin seed certificates and attach or supervise the attaching of them to bags or other containers of a given lot of seed which is properly identified and which is known to be covered by one or more inspection certificates that have been issued either by him or by another verified-origin inspector.

(b) By verified-origin seed dealers.

Seed dealers who, upon their request, have had their methods of handling seed stocks and records examined and approved by a verified-origin seed inspector for the purpose of origin-verification of alfalfa and/or red clover seed may be authorized by the Chief of the Service to issue verified-origin seed certificates for seed on which they hold valid inspection certificates issued to them by a verified-origin seed inspector, provided they agree: (1) to conform to the letter and spirit of these regulations and instructions and to such other instructions relating thereto as may be issued; (2) to confine their purchases of alfalfa seed, so far as possible, to lots of seed eligible for verification, to endeavor to obtain acceptable assurances of origin for all such lots, and to submit inspection certificate applications for all those lots, except State certified and sealed seed and imported seed, regardless of what disposition is to be made of those lots; (3) to keep such records as are necessary to verify the origin of seed, and to make them available for inspection by a verified-origin seed inspector upon request as provided in section 59.17 of regulations; (4) to pay the fees for inspection certificates and such fees and charges

for other services in connection therewith as shall be approved by the Chief of the Service; (5) to provide tag verified-origin seed certificates in the prescribed form without cost to the Government, and to keep records of and to furnish such information regarding their use as may be requested; (6) to issue verified-origin seed certificates for all verified-origin alfalfa seed shipped or sold by them except as otherwise provided in these instructions; and (7) to use verified-origin seed certificates and the privilege of issuing them solely for such purposes as may be considered proper, ethical, and legal.

Section 2. Time of filing applications.--Applications by seed dealers for authorization to issue verified-origin seed certificates for any fiscal year (July 1 to June 30) must be received by the Chief of the Service not later than September 1 of the same year; provided, that for good and sufficient reason the Chief of the Service, at his discretion, may accept and approve applications received after September 1.

Section 3. Applications of branch establishments or subsidiaries.--Branches or subsidiaries of a verified-origin seed dealer operating under the same name or under names different from that of the parent establishment, in different localities and keeping independent records, will be considered as independent establishments and shall file separate applications for enrollment if they wish to become verified-origin seed dealers. Branch-purchasing or selling stations operating under the same name, closely associated with the parent institution, and not operating with an independent set of records need not file a separate application, in which case they will operate under the same application and will be governed by all the regulations and instructions applicable to verified-origin seed dealers.

Section 4. Which seeds may be verified.--Alfalfa and red clover seed, singly or in any combination, produced in the United States, and which meets the requirements of these regulations and instructions may be verified as to origin by a verified-origin seed inspector.

RULE 2

INSPECTION CERTIFICATES

Section 1. Persons for whom inspection certificates will be issued.--"An application for the inspection of seed under the Act may be made by a State, a verified-origin seed dealer, or any other interested party." (Section 59.6 of regulations.) Applications from the above designated persons shall be handled as prescribed under (a) and (b) of this section.

- (a) Verified-origin seed dealer.--Verified-origin seed dealers shall make applications for inspection certificates for the classes of seeds covered by their authorization and these rules as follows:

- (1) Alfalfa seed.--All lots of alfalfa seed eligible for verification, except State certified seed, shall be covered by inspection certificates even though they may have been purchased in part or entirely by a verified-origin seed dealer for the account of another firm or person. If it is desired to offer State certified seed as verified-origin seed, an application for an inspection certificate for such seed shall be made in the regular way.
- (2) Red clover seed.--A sufficient quantity of red clover seed shall be verified as to origin to enable the verified-origin seed dealer to maintain stocks of this seed during the season of active demand.
- (b) State or other interested party.--Because of the necessity of a complete and continuous system of records by each handler of a given lot of seed to substantiate a statement of origin, the difficulty of supervising and checking such records, and the inability of the applicant ordinarily to furnish suitable consecutive documents, it is often difficult, if not impossible, to determine the correct origin and issue an inspection certificate for a lot of seed not in the hands of or identified with the records of a verified-origin seed dealer. However, consideration will be given to applications for inspections of lots of seed when such applications have been prepared by and for a State, the producer of the seed in question, or a handler of only locally produced seed. If the records required for such seed are adequate and the applicant has fully complied with the regulations and instructions including the payment of the fees and charges, the verified-origin seed inspector will issue an inspection certificate and, if desired, attach tag verified-origin seed certificates to the bags or packages of seed inspected.

Section 2. Form of inspection certificate.--The form (GS-300) of inspection certificate, as prescribed by the service for verified-origin seed dealers, serves two distinct purposes, namely, an application for inspection and an official inspection certificate. It constitutes an application for inspection when it is filled in by a verified-origin seed dealer with the information required for verification of origin of the lot or lots of seed covered. The information certified by him or his designated representative is in effect an accurate transcription of certain portions of his records which serves as a basis for issuing a certificate. It is then transmitted to the verified-origin seed inspector along with the country shippers' declarations of origin and invoice verified-origin seed certificates for the lots of seed included in the application and covered by such documents. The declarations, but not the invoice verified-origin seed certificates, will be returned to the applicant. After the inspector has examined and approved the application, with or without exceptions, as evidenced by his signature, it becomes an official inspection certificate, which is receivable in all courts of the United States as prima facie evidence of the truth of the statements therein contained. Inspection certificate application forms will be furnished by the service to verified-origin seed dealers on request. The original sheet for each certificate application is white and the copies are blue.

Section 3. When certificate applications should be made.--Applications for the verification of origin of alfalfa and red clover seed shall be made immediately after the seed has been purchased by, or comes into the possession of, the applicant, in order to give the inspector an opportunity to make such investigations as may be necessary and thus permit the issuance of the certificate before the seed is needed for blending or shipment. (Section 59.9 of regulations.)

Section 4. Preparation of application for inspection certificate.--An inspection certificate application of a verified-origin seed dealer, which after being approved by the inspector becomes an inspection certificate, consists of one sheet (original) and copies. (Rule 2, Sec. 6.) Each verified-origin seed dealer shall maintain his own series of numbers. The application shall be prepared by the applicant by entering information on the blank form as follows. (Section 59.8 of regulations.)

- (a) Serial number.--Each verified-origin seed dealer shall be assigned a 2-letter symbol which when combined with a serial number beginning with number one shall constitute the application or certificate number or designation. This is to be entered in the upper right-hand corner. In the case of a corrected application the serial number shall be the same as that of the original application but the word "corrected" shall be written above the serial number.
- (b) Kind of seed.--The name of the kind of seed shall be the commonly accepted name, e.g., alfalfa, red clover, without the name of any variety or other descriptive matter in connection therewith. This shall be entered in the space provided under the caption "Inspection Certificate" (GS-300). Only one kind of seed shall be included in each application.
- (c) Applicant's name and address.--The name and address of the applicant shall be entered in full at the top of the certificate.
- (d) Name of person making shipment or delivery, shipping point and post-office address.--The name of the person from whom seed was obtained, the shipping point and the post-office address, if different from the shipping point, shall be given. If the person making shipment is a traveling representative or acting as a commission buyer for the applicant, such fact shall be indicated by writing the firm name of the applicant, enclosed in parentheses, below the name of such person. For seed, from a non-verified-origin seed dealer, which has tag verified-origin seed certificates attached, the name and address of the person from whom received shall be given and below that, in parenthesis, the name or symbol appearing on the verified-origin seed certificates.
- (e) Date of shipment.--The date the lot was shipped or delivered shall be shown or in case the lot has not actually been shipped, the date the lot was invoiced or purchased shall be given and a notation to that effect be made.

- (f) Shipper's lot number.--The shipper's lot number shall always be given. If any lot listed in an application bears tag verified-origin seed certificates indicating a lot number different from that of the person making shipment, there shall also be given, in parenthesis, the lot number with the 2-letter prefix, if any, on the tag certificates.
- (g) Applicant's receiving lot number.--The receiving lot number given shall be the lot number (alone or combined with the shipper's lot number) under which the lot is recorded and handled by the applicant from the time it is received until it is cleaned or blended with other lots, or otherwise prepared for sale.
- (h) Weight in pounds.--The weight given for each entry shall be the receiving weight (without deductions for dockage or cleaning), and shall correspond closely with that shown in the declaration of origin, the invoice verified-origin seed certificate, or other records on which the statement of origin of the particular lot of seed is based.
- (i) Where grown.--The State or approved district, where the lot was grown shall be given. If, however, it is desired to be more specific in describing the origin in verified-origin seed certificates, the name of the county or counties (Rule 5) shall also be given in the application and shall be in accordance with the facts given in the declaration or other documentary assurance of origin.
- (j) Declaration.--The kind of assurance of origin on which the statement of origin is based, such as a declaration of a grower "G", a declaration of a shipper "S", a verified-origin seed certificate (either invoice or tag form) "V", and official State or Federal certificate "O", or other acceptable document "X", shall be given. If the assurance is a tag verified-origin seed certificate the applicant shall make, on the line below that covered by the lot in question, the following or a similar notation: "Tag certificates properly attached and no evidence that contents of bags have been tampered with."
- (k) Name of person signing for applicant.--The person signing for the applicant shall be an official of the concern or other person designated to certify to the accuracy of the records and the transcript of them.
- (l) Date of application.--The date shall be the month, day, and year the original or the corrected application, as the case may be, was prepared and transmitted to the inspector.

Section 5. Issuing an inspection certificate.--When a verified-origin seed inspector receives an application in due form for the inspection of seed from an applicant, he shall examine the application and check the information given, also the accompanying assurances of origin with available data from

other sources. If the information appears to be correct and complete, he shall sign the application and enter the date and amount of fees and charges, thus transforming the application into an official inspection certificate. (Section 59.10, 59.13 and 59.19 of regulations.)

Section 6. Filing inspection certificates.--For all districts except the one served directly by the Washington office, three complete files of the inspection certificates shall be preserved; one by the verified-origin seed dealer, another by the verified-origin seed inspector for his district, and still another by the Washington office of the Seed Verification Service. The applicant shall prepare the original and three copies of each application. He shall file one (last) copy for temporary reference and transmit the original and two copies to the verified-origin seed inspector for his district. When approved, the inspector shall sign the original and both copies, return the original to the applicant, transmit one copy to the Washington office, and file the remaining copy in his own office. In the Washington district only two files are necessary as the district and Washington files are the same. Inspection certificates are not transferable but shall be retained by the verified-origin seed dealer in his files as the evidence of origin upon which to base the issuance of verified-origin seed certificates for the lots of seed covered by the inspection certificate.

RULE 3

VERIFIED-ORIGIN SEED CERTIFICATES

Section 1. Purpose of verified-origin seed certificate.--The verified-origin seed certificate is the commercial document, issued by either a verified-origin seed inspector or a verified-origin seed dealer, which gives the buyer definite assurance that the origin of the lot in question is as stated in that certificate. It certifies only origin or place where grown, and not variety, quality, purity, or germination. Seed bearing verified-origin seed certificates, however, must meet certain standards of quality. (Rule 3, Section 4 (c).) The information contained in a verified-origin seed certificate must be in harmony with that in one or more valid inspection certificates covering the lot, which have been issued previously and with the report of the verified-origin seed dealer for the lot in question which also shall have been issued previously. (Rule 7, section 2.)

Section 2. Kinds and forms of verified-origin seed certificates.--There are two kinds of verified-origin seed certificates, namely, invoice verified-origin seed certificate and tag verified-origin seed certificate.

- (a) Invoice verified-origin seed certificate.--The invoice verified-origin seed certificate (GS-502) is provided primarily for the interchange of verified-origin seed between verified-origin seed dealers to eliminate the necessity for attaching tag verified-origin seed certificates to all bags of seed shipped to verified-origin seed dealers. Shipments of verified-origin seed made by

one verified-origin seed dealer to another verified-origin seed dealer shall always be accompanied by an invoice verified-origin seed certificate whether or not tag verified-origin seed certificates are attached to the bags. The invoice verified-origin seed certificate shall include only one kind of seed and shall be made in triplicate. The original and one copy of the certificate shall be sent to the purchaser (dealer to whom certificate is issued) who retains the original with his records and transmits the copy to the inspector with his application for an inspection certificate. The other copy is retained in the files of the seller (dealer issuing certificate). The verified-origin seed dealer receiving seed from another verified-origin seed dealer shall transmit the invoice verified-origin seed certificate accompanying such seed with his application for an up-to-date inspection certificate before issuing verified-origin seed certificates for the lot in question. (See Rule 3, section 1.)

Verified-origin seed dealers shall be furnished with blank forms of pre-numbered invoice verified-origin seed certificates bound in pads of 10 sets of certificates, each set consisting of one original and 2 copies. Each dealer shall account for all certificates used and canceled and shall return all unused certificates when his connection with the service is terminated. (Page 17)

- (b) Tag verified-origin seed certificate.--The tag verified-origin seed certificate is the form of certificate which reaches the ultimate consumer giving him the proper assurance of origin of the seed.
- (1) Forms of tag certificates.--There are two forms of tag certificates, namely "A" and "B". A verified-origin seed dealer may use either or both of these forms. The design and printing common to both forms are shown in black on page 17. The portions to be printed in red and black are not indicated. Form "A" shall give in addition the name and address of the dealer issuing the certificate. Form "B" shall give in addition the name and address of the branch office of the Seed Verification Service district in which the dealer is located and the dealer's 2-letter symbol following "Lot No.." for identification.
- (2) Color, material, and printing of tag certificates.--The tag certificates shall be printed in red and black on white material, which may be of strong paper, cardboard, or cloth. To insure uniformity in the tag certificates, verified-origin seed dealers before purchasing tag verified-origin seed certificates shall obtain from an in-

spector the names of the engravers or tag companies holding plates in the approved form for printing the verified-origin seed certificates.

- (3) Size of tag certificates.--The tag certificates for attaching with seals shall be of the size commonly known as No. 6 (5-1/4" x 2-5/8"). However, a smaller size No. 5 (4-3/4" x 2-3/8") or a larger size No. 7 (5-3/4" x 2-7/8") may be used in special cases. Those for sewing in bags may be of the same width as either of the above and of a length necessary to provide sewing margin.
- (4) Attaching tag certificates.--Tag verified-origin seed certificates shall be attached securely to bags in such manner that the bags cannot be opened without indicating that fact. For this purpose the tag may have one end of it machine-sewed into the bag or it may be attached by means of a seal to the loose ends of the string used to tie or machine-sow the bag, or in any other manner which will prevent the opening of the bag or the removal of the tag without breaking the seal. Tag verified-origin seed certificates when securely machine-sewed or sealed to bags or other containers remain valid so long as those containers are not tampered with and the seed remains intact. The lot number in the verified-origin seed certificate shall always be identified with a number on the bag. Tag verified-origin seed certificates must not be sent by mail or otherwise supplied by verified-origin seed dealers, for attaching to shipments of verified-origin seed, to persons other than employees or members of the firm issuing the tag certificates except under specific authorization by an official of the Seed Verification Service.

Section 3. Information given in verified-origin seed certificates.--Verified-origin seed certificates shall contain, among other things included in approved certificate forms, the following information, which has been attested to in an inspection certificate or certificates: (Rule 3, section 1.)

- (a) Kind of seed.--The commonly accepted name, such as "Alfalfa", "Red Clover," without the name of any variety or other descriptive matter in connection therewith, shall be given.
- (b) Where grown.--The State, district, or county where the seed in question was grown shall be given: Provided, that not more than three States may be given and the percentage of seed produced in each State shall be given in the order of its predominance as required under the Federal Seed Act. The State or district contrib-

(cont. on page 18.)

GS-303
Invoice Form

VERIFIED-ORIGIN SEED CERTIFICATE

Issued by Authority of the

UNITED STATES DEPARTMENT OF AGRICULTURE

This certifies that a Federal seed inspector has examined the necessary records and has verified the origin of the lot or lots of seed as indicated below. This covers ORIGIN ONLY—NOT VARIETY, QUALITY, PURITY, or GERMINATION.

KIND OF SEED	LOT No.	WHERE GROWN	QUANTITY		CERTIFICATE OR REPORT	
			Bags	Pounds	Number	Date

Date issued

(Name of dealer issuing certificate)

Purchaser

By

VERIFIED-ORIGIN SEED CERTIFICATE
 Issued by Authority of the
 United States Department of Agriculture

This certifies that a Federal Seed Inspector has examined the necessary records and has verified the origin of this lot of seed as indicated below. This covers ORIGIN ONLY—NOT VARIETY, QUALITY, PURITY, or GERMINATION.

Kind of seed Lot No.

Where grown.....

**U. S. VERIFIED-ORIGIN
SEED**

uting the largest portion in the blend or mixture being mentioned first. (Rule 5.) If abbreviations for the names of States are used, commonly accepted abbreviations must be used. Furthermore, when two or three States are given in an origin, if one State is abbreviated, all other States in the same verified-origin seed certificate shall be abbreviated.

- (c) Lot number.--The lot number shall be the serial number which definitely identifies the seed covered by the verified-origin seed certificate with one or more inspection certificates and with the records of the dealer issuing the verified-origin seed certificate or for whom the certificate was issued. The lot number shown in the certificate shall always be identified with a number on the bag.
- (d) Additional information.--In addition to the information specified under (a), (b), and (c) of this section, the invoice verified-origin seed certificate shall give (d) the serial number of certificate, (e) the name of the purchaser, (f) the date of issuance, (g) quantity of each lot in the shipment, (h) the name and address of the seller and (i) either the number and date of issuance (date signed by inspector) of the inspection certificate or the number and date of the dealer's report covering the lot.

Section 4. Use of verified-origin seed certificates and analysis tags.--Verified-origin seed certificates and analysis tags shall be used on shipments of alfalfa seed and red clover seed made by verified-origin seed dealers in accordance with paragraphs (a) to (c) of this section.

- (a) Quality requirements for verified-origin seed.--Alfalfa and red clover seed that bears tag verified-origin seed certificates shall contain (1) not over 2 percent of impurities other than crop seeds, (2) not over 1 percent of weed seeds, and (3) not over 3 percent of any one kind, or a total of over 5 percent, of crop seeds other than alfalfa and red clover. The total germination and hard seed percentage for either alfalfa or red clover seed shall not be less than 80 percent. The seed shall also be of the size, plumpness, color, and shall have the other physical characteristics which ordinarily distinguish seed of good quality.

- (b) Use of verified-origin seed certificates in connection with analysis tags on alfalfa seed.--All verified-origin alfalfa seed bearing analysis tags indicating it to be equal to or better than the standards described in paragraph (a), except that shipped to other verified-origin seed dealers or to dealers who file written request not to have such tags attached, shall bear tag verified-origin seed certificates. Alfalfa seed not meeting the above standards shall not bear tag verified-origin seed certificates, but the origin as verified in official inspection certificates shall be stated on the analysis tags along with the other required information.
- (c) Uniformity of seed.--Each lot of cleaned seed bearing a verified-origin seed certificate or an analysis tag shall be uniform throughout, so that samples taken from any portion of the lot will, within tolerances, represent the quality and condition of the entire lot.

Section 5. Correcting verified-origin seed certificates.--Whenever a verified-origin seed dealer has furnished a verified-origin seed certificate in which the origin of the lot covered by it or the lot number is incorrect, or the certificate gives more than the commonly accepted name, such as "alfalfa" or "red clover" in indicating the kind of seed, he shall have it corrected immediately as indicated under (a) or (b) of this section.

- (a) Correcting invoice certificate.--A verified-origin seed dealer issuing an incorrect invoice verified-origin seed certificate shall request the buyer or buyers of the lot of seed to return the incorrect invoice verified-origin seed certificate or certificates and shall send to those buyers in duplicate corrected invoice certificates with the words "Corrected Certificate" typed or written above the number and the statement "This certificate is issued in lieu of and supersedes certificate No. _____." shall be given following the listing of the lots in the certificate.
- (b) Correcting tag certificate.--A verified-origin seed dealer who has issued an incorrect tag verified-origin seed certificate shall make the correction in either of the following ways:
- (1) A representative of the verified-origin seed dealer shall remove and destroy the incorrect tag verified-origin seed certificates and replace them by sealing correct certificates to the bags or other parcels of seed. A report of this operation shall be made to the inspector.

- (2) The verified-origin seed dealer shall prepare the number of certificate-correction slips required for the incorrect tags issued in the following form:

Correction of Verified-Origin Seed Certificate
Kind of seed _____ Lot No. _____
Where grown _____
(The dealer's name and address)

These slips shall be of white gummed paper about 7/8-inch wide and 4 to 4½ inches long. In transmitting the slips the verified-origin seed dealer shall instruct the receiver to stick them to the incorrect tags immediately below the line showing the lot number so that when attached the lot number will appear on both the original incorrect certificates and on the correction slips.

RULE 4

ASSURANCES OF ORIGIN

Section 1. Kinds of assurances.--Any one of the several kinds of documents described in this section may be accepted by an inspector as a proper assurance of the origin of a lot of seed on which to base the issuance of an inspection certificate. The country shippers' declarations of origin and invoice verified-origin seed certificates, for lots of seed included in an application for inspection and covered by such documents must accompany the application. The declarations, but not the verified-origin seed certificates, will be returned to the applicant. (Rule 2, section 2.) These documents must be properly identified with the lot or lots of seed covered by them.

- (a) Declaration of grower.--The initial documentary assurance of the origin (place where grown) of any lot of seed shall be a declaration of the grower, giving in prescribed form the kind of seed, lot number, where grown, quantity, date shipped or delivered, name and address of person to whom sold, shipped, or delivered and signature and address of the grower. The form of grower's declaration (GSFSA-250) (Page 22) as suggested for use under the Federal Seed Act is hereby approved for use in this service. Other forms should not be used.
- (b) Declaration of shipper.--A shipper who sells seed to verified-origin seed dealers or to other shippers who in turn indicate their intention to reship the seed to verified-origin seed dealers or to others and who request declarations of origin shall furnish a country shipper's declaration of origin covering the lot or lots of seed sold by him (GSFSA-251) (Page 23). This is the form suggested for use under the Federal Seed Act and other forms should not be used. The origin of every lot of seed included in a country

shipper's declaration of origin shall be covered by a grower's declaration or by the shipper's personal knowledge of the grower and of the field where the seed was produced if the lot was obtained directly from a local grower. On the other hand, if a lot was obtained from another country shipper, hereafter to be designated as the original shipper, the shipper furnishing his declaration to the verified-origin seed dealer must have obtained a country shipper's declaration covering that lot from the original shipper and must retain it in his files for the examination of an inspector upon request. NOTE-- Each country shipper shall retain a copy of each declaration which he issues and shall attach thereto, a detailed record showing the names and addresses of growers or country shippers from whom the seed was purchased, the quantity of seed purchased from each, and the date on which it was delivered to him.

Each country shipper shall retain a sample of each lot of seed not produced locally and which is covered by a declaration of origin (Paragraph 201.5 of Regulations under the Federal Seed Act).

- (c) Verified-origin seed certificate.--The invoice form of verified-origin seed certificate may be accepted if the lot covered by it has been received directly from another verified-origin seed dealer and the bags carry the lot number. The tag form may be accepted for seed purchased from a non-verified-origin seed dealer only if there is no indication that the contents of the bag have been tampered with and if the tag certificate is correct and is properly attached by machine-sewing or by the seal of the dealer or inspector who issued it.
- (d) Certificate of State certifying agency.--A certificate of origin will be accepted from a recognized State-certifying agency. Such certificate shall show or indicate the name of the kind of seed, the lot or certificate number or mark, and the origin.

Section 2. Responsibility of dealer and/or shipper in accepting declarations of origin.--Any dealer, shipper, or other person accepting a declaration of origin from a grower or a shipper shall for his own protection and the protection of the service assure himself, so far as possible, that the declaration is authentic and valid. Among other things he shall observe the following: (a) That each declaration accepted is in a form prescribed or approved by the service for the purpose. In order to assure himself of this, the verified-origin seed dealer should furnish blank declaration forms in duplicate to growers and shippers from whom he purchases seed.

(cont. on page 24.)

Form
GSFSA-250
3/5/40

UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service

GROWER'S DECLARATION
of
Origin, Kind, Variety or Type

(Declarations of ORIGIN are required for alfalfa, red clover, and corn, other than hybrid corn. Declarations of KIND, VARIETY, or TYPE are required only when the seed is being sold under the name of a KIND, VARIETY, or TYPE that cannot be determined by the appearance of the seed.)

In accordance with the regulations under the Federal Seed Act, I, the grower of the seed described below, do hereby declare that the facts stated are correct to the best of my knowledge and belief.

Kind of seed _____ Variety 1/ _____ Type 1/ _____

My lot number or mark _____ Bags _____ Pounds _____

Where grown: County _____ State _____

Seed sold to _____ P.O. Address _____

Shipped or delivered to _____ Place _____

Date shipped _____ 19 _____ or delivered _____ 19 _____

1/
The grower should have adequate information to support his naming of the variety or type. Not having such information the variety or type should not be stated.

(To be filled in by purchaser) : Signature of grower
Auto :
Tag: State _____ No. _____ :
Purchaser's receiving Lot No. _____ : P. O. _____ State _____

Note: A copy of this declaration should be retained by the grower.

COUNTRY SHIPPER'S DECLARATION OF ORIGIN
and record of
KIND, VARIETY OR TYPE OF SEED

(A declaration should cover only one kind of seed)

In accordance with the regulations under the Federal Seed Act, I, the country shipper of the seed described below, do hereby declare that the facts stated are correct to the best of my knowledge and belief.

[illegible]

1/ When a lot is grown in more than one State, the name and the percentage of seed grown in each State shall be given.

2/ The shipper should have adequate information to support his naming of the variety or type. Not having such information, the variety or type should not be stated. For seed purchased from a grower, the shipper should have the grower's declaration, when the variety or type cannot be determined by the appearance of the seed. The word "Type" shall be used when the seed is named as to "Type."

3/ Indicate for each lot by means of a cross (X) in the proper column the kind of declaration or assurance of origin held by you. An (X) in column 7 to indicate a grower's declaration; in column 8 to indicate that your assurance is based on your personal knowledge of the grower and where the seed was grown; and in column 9 that another shipper's declaration is held by you. Column 10 should ALWAYS be filled in when an (X) has been shown in column 9.

Seed sold, shipped or delivered to :Country shipper issuing this declaration

P.O. _____ State _____ : By _____

Date shipped _____ : _____
or delivered _____ 19 _____ : P.O. _____ State _____

Failure on the part of the verified-origin seed dealer to furnish these forms may result in the use of non-acceptable forms which might cause delays and other difficulties in obtaining inspection certificates. (b) In accepting a grower's declaration from a grower or grower's agent who is unknown to him, a verified-origin seed dealer shall have satisfactory identification of the grower such as truck-license number or other form of identification and shall know or have good reason to believe that the entries in the declaration are consistent with the facts. (c) In accepting a country shipper's declaration, he shall assure himself that the shipper filling in the declaration is not on the non-accredited list, that such shipper is a local buyer and shipper of the kind of seed in question, in accordance with section 59.2 (i) of Regulations, that, if he is also a general seed dealer, he has been approved by the service as a shipper of such seed, and that every lot is covered by a satisfactory initial assurance of origin. Wherever covered by "personal knowledge of grower" he shall know that the shipper is so located that he could have intimate knowledge of the grower and the place where the seed was grown.

Section 3. Persons from whom declarations are not acceptable.-- Declarations of origin are not acceptable if made out by, or if furnished by, or if tendered by or in connection with the sale or the handling of certain parcels of seed by (a) persons who are not bona-fide shippers of the kind of seed in question, (b) verified-origin seed dealers, or shippers or buyers who represent the applicant or other verified-origin seed dealers, except that shippers or buyers who represent the applicant may furnish or tender growers' or other country shippers' declarations which they have received from the growers or shippers of the seed in question, (c) general seed dealers who have not been approved as shippers, which approval involves the keeping of complete records of all lots of the kind of seed in question handled by them, the tagging of every shipment of alfalfa and red clover seed with the lot number and origin as is required of verified-origin seed dealers, and the complying in every other way with the requirements and limitations prescribed for shippers, or (d) shippers who have failed to comply with the regulations and provisions pertaining to the issuance of such declarations, including the obtaining of the necessary information from growers and the keeping of the necessary stock records and samples of seed handled.

RULE 5

ORIGIN DESIGNATIONS AND DISTRICTS

Section 1. Form of statement.--The origin or place where seed was grown may be given in any of the ways described in paragraphs (a), (b), and (c) of this section.

(a) State or States of origin.--A single State may be given as the origin, or two or three States may be given when such States are adjacent or located in a general seed producing area for the seed in question, the seed from which does not represent a wide range of adaptation for such seed.

(b) Designated portions of States.--Wherever designated portions of certain States are set up as special districts for indicating origins the boundaries are usually county lines and the declaration or declarations on which the statement is based shall give the name of the county or counties in which the seed was produced. The following special districts are hereby established:

(1) Oregon and Washington.--Those portions of the States of Oregon or Washington west of the Cascade Range may be designated as "Western Oregon" and "Western Washington," respectively; those portions east of the Cascade Range may in like manner be designated as "Eastern Oregon" and "Eastern Washington."

(2) Northern Neck of Virginia.--That portion of the State of Virginia between the Potomac and Rappahannock rivers comprising the counties of Lancaster, Northumberland, Richmond, Westmoreland, King George, and Stafford and the adjoining counties of Essex and Middlesex may be designated the "Northern Neck of Virginia," the term commonly applied to that area.

(3) California.--Those counties in the State of California north of the 40th parallel, including the counties of Tehama and Plumas may be designated "Northern California." That portion of California south of northern California and north of the southern boundary of Monterey, Kings, Tulare, and Inyo counties may be designated "Central California." That portion of California south of central California may be designated "Southern California." That portion of the western part of Riverside county, included in and adjacent to the Hemet, Murietta, Perris and Temecula valleys may be designated the "San Jacinto Mountain Valleys, California."

(4) Michigan.--That portion of the State of Michigan north of and including the counties of Oceana, Newago, Mecosta, Isabella, Midland, Bay, Tuscola and Sanilac may be designated "Northern Michigan" and that portion south of those counties may be designated "Southern Michigan."

(5) Northern part of State.--Except as provided for California and Michigan that portion of any State made up of the counties which lie entirely north of an east-west line drawn half way between the northern and southern extremities of the State may be designated by the word "northern" and the State name, for example, "Northern Illinois." That portion south of the northern portion would likewise be designated "southern."

(c) Counties.--A single county or any group of adjacent counties, or counties in a single restricted producing area, may be given as origin provided such county or counties are given as the origin in the declaration on which the statement is based.

RULE 6

RECORDS

Section 1. Lot identification.--Each lot of seed of the kind or kinds that are being verified as to origin which is handled by a verified-origin seed dealer shall bear a lot number by which it shall be known in the records of the shipper or verified-origin seed dealer so long as its composition remains unchanged. When it is cleaned or blended with other lots and thereby loses its former identity, the new lot so formed shall be given a new lot number and the record shall show all lots or parts of lots and quantity of each used in the cleaned or blended lot. Numbers, with or without letters, constitute the best and simplest system of lot designations and shall be used for all lots offered for sale or sold by verified-origin seed dealers. It is recommended that continuous series of numbers be used by verified-origin seed dealers for 3 years or more so that there will be little or no likelihood that numbers of lots will be duplicated by the same dealer in successive seasons and thereby result in confusion. (Section 59.2 (k2) and (k3) of Regulations.)

Section 2. Dealers' records.--Complete records of all lots of seed of the kind or kinds being verified as to origin shall be maintained by verified-origin seed dealers. Such records, properly kept, will enable an inspector to trace the source and disposition of every lot of these seeds handled and the source of all information pertaining to such seed, whether or not it has been verified as to origin. To accomplish this, the following kinds of records, in addition to acceptable assurances of origin, are required of verified-origin seed dealers. (Section 59.2 (k1) of Regulations.)

- (a) Receiving record.--Kind of seed, lot number, weight, date lot was received, and name and address of the person making shipment to the verified-origin seed dealer.
- (b) Bulking and cleaning record.--Kind of seed, new lot number or numbers, weight and origin of new bulk, cleaned or blended lot, lot numbers, weight and origin of original lot before cleaning or of component lots used in making up a bulk or blended lot, weights of screenings discarded and date bulking, blending, or cleaning was done.

- (c) Stock record.--Kind of seed, number of certificate or dealer's report covering lot, lot number, origin, (if a multiple origin the percentage of each origin shall be given) weight of lot as received or when first offered for sale, individual sales or other disposition in pounds or bags of this lot according to dates the parcels were sold or according to invoice numbers covering the sales, and remainder on hand either stated or readily computed.
- (d) Labeling record.--The labeling record may be kept in various ways but in all cases shall disclose the source and identity of all items of information given on the label.
- (e) Shipping record.--Kind of seed, lot number, weight, date lot was shipped or sold, and name and address of person or firm to whom lot was shipped or sold.
- (f) Sample record.--A complete file shall be maintained of the samples of all lots prepared or offered for sale of seed of the kind or kinds which are being verified as to origin. The sample envelope should indicate lot number and origin. A sample shall also be retained of each lot purchased directly from a grower when such seed is covered by a declaration of origin and has not been produced in the vicinity of the dealer's place of business. (Section 3(a).) A sample, two ounces or more in weight, of each lot prepared or offered for sale shall be kept for at least 1 year after the complete disposition of the lot.
- (g) Storage record.--Seed of the kind or kinds being verified as to origin in the process of cleaning or in storage by verified-origin seed dealers shall be handled or piled in a room with adequate lighting so that the bags of each lot may be readily identified. If all bags are not marked or tagged, a sufficient number shall be legibly tagged or stenciled with lot numbers for the purposes of identification. Where many lots are stored in one or more warehouses adequate records shall be kept of in and out movement and location of seed in warehouse.

Section 3. Shippers' records.--Shippers of alfalfa and red clover seed shall keep records as prescribed under (a), (b), and (c) of this section. (Section 59.2 (i) of Regulations.)

- (a) Country shipper.--A shipper located in a producing area who confines his purchases of alfalfa and/or red clover seed to that produced in his own locality for shipment to seed dealers or to other country shippers shall keep a record of receipts and shipments. Such record may be in simple form but must show for each

lot of seed purchased or received and for each lot sold, shipped or delivered the name and address of the other party to each transaction or shipment, the place from which received or to which shipped, the quantity in pounds, and the date received or shipped. He shall also keep a copy of each declaration which he issues, also the original growers' and country shippers' declarations of origin received by him. A sample shall be retained of each lot of alfalfa and red clover seed not produced locally which is covered by a declaration of origin (Section 2 (f).) Whenever a shipper does cleaning or bulking of seed his receiving or bulking records shall show the components of the bulk and such other information necessary to establish the origin and identity of components and of the final lot.

- (b) General shipper and seed dealer.--A shipper of alfalfa and/or red clover seed who buys such seed over a large territory, or a general seed dealer located in a surplus producing territory who wishes to function as a shipper, must keep complete records, for the kind of seed involved, similar to those of verified-origin seed dealers if he wishes to issue declarations of origin acceptable to the service. Declarations from such a dealer will be accepted only under the most favorable circumstances. A general seed dealer functioning as a shipper of alfalfa and/or red clover seed is required to tag every shipment of such seed with the lot number and origin, if known, as is required of a verified-origin seed dealer and to meet, for such seed, all the requirements of the Federal Seed Act and the Regulations under the Act as if it were shipped in interstate commerce.

RULE 7

VERIFIED-ORIGIN SEED DEALER'S REPORT

Section 1. Purpose of report.--The purpose of the verified-origin seed dealer's report is to enable an inspector to determine whether or not a given lot or the component parts of a bulk lot offered for sale or sold have been verified as to origin. In other words, it serves to identify any verified-origin seed certificates issued by a verified-origin seed dealer with the inspection certificate or certificates issued to that dealer covering the lot in question or its component lots.

Section 2. When report shall be made.--Verified-origin seed dealers shall make a report (GS-301) every week that new lots of verified-origin seed are prepared or offered for sale, or oftener if the verified-origin seed dealer making the report has occasion to furnish to another verified-origin seed dealer an invoice verified-origin seed certificate for a given lot which has not already been covered under the same lot number by an inspection certificate or by a verified-origin seed dealer's report. No verified-origin seed certificate for a given lot shall be issued unless that lot has been covered, under the lot number as sold, by either a verified-origin seed dealer's report or an inspection certificate. (Rule 3, section 1.)

Section 3. Form and numbering of report.--Forms for this report shall be furnished by the service. The original sheet for each report is white and the copies are pink. These reports shall be serially numbered by each dealer, using that dealer's 2-letter symbol in combination with the serial number, and the same series of numbers shall be continued by the dealer from year to year so long as he remains in the service. Each sheet used constitutes a separate report and shall be given a new number.

Section 4. Preparation of report.--The heading of the verified-origin seed dealer's report provides for listing the "new lots of verified-origin seed which have been prepared, or offered for sale during the week." Each firm decides the date of cut-off for each week and the method of reporting, that is, whether it will be on the basis of seed "prepared" or seed "offered for sale"; in each case the seed in question may or may not have been "sold or shipped" in part or entirely, this having no bearing whatever on the way the report is to be filled in. The practice of listing the new lots as they are bulked or prepared is preferred by this service. Each firm shall indicate in the first report by scratching out the words not needed, what method is being used in making out the reports and shall follow that method regularly. In each method a report of the preparation of a given bulk lot is to be made usually only once, the entire quantity of the lot being shown. All or a portion of the same bulk lot, however, may be included as part of a new bulk lot, in which case it shall be indicated in the proper column later in the same report or in another report as provided hereafter.

Section 5. Reporting component lots used in bulk or final lots.--When a new lot to be reported consists only of lots as shown in inspection certificates all such lots shall be listed in the sixth column headed "Receiving lot numbers as shown in inspection certificates." If, however, it includes wholly or in part one or more prepared lots all of which shall have been reported previously in a verified-origin seed dealer's report, such component lots shall be listed in the seventh column headed "Bulk or final lot numbers shown previously by us in a verified-origin seed dealer's report." In order to expedite the auditing of records as to quantities and percentages of origins in blends it is very desirable that quantities of seed of each component be indicated in a dealer's report.

Section 6. Reporting simple or multiple origins.--The origin of a lot as given in a report must not be more specific than the respective origins of the component lots as shown in inspection certificates or in dealers' reports. For example, if these certificates or reports indicated the origin of one or more component lots of a bulk lot to be Oregon instead of Malheur or some other county in Oregon, the origin of the bulk lot in the report shall be indicated merely as Oregon, and not as eastern Oregon or Malheur County, Oreg. When more than one State or district is given as the origin of a lot of alfalfa or red clover seed, the names of such States or districts shall be listed in the report in the order of the percentage of each origin, the one contributing the largest portion in the blend or mixture being mentioned first and the others in the proper order. (Rule 3, section 3 (b).)

RULE 8

SCHEDULE OF FEES

Section 1. Fees and charges.--The fees and charges for the inspection of alfalfa and red clover seed for class and origin are as follows:

- (a) An advance deposit of \$25 is required with each application of a seed dealer for the privilege of issuing verified-origin seed certificates. This deposit applies on the regular fees provided under (b) of this section. If the application is received prior to September 1 of the fiscal year (July 1 - June 30) for which it is made only one \$25 deposit is required for either alfalfa or alfalfa and red clover seed. If a verified-origin seed dealer for alfalfa seed wishes to file an application after September 1 for red clover seed, he may do so by depositing an additional \$25 and by paying the necessary travel and other expenses of the inspector to examine his records and stocks, the deposit so made, but not the expenses, to apply towards the fees for red clover seed as provided under (b) of this section. Applications received after September 1 for alfalfa or alfalfa and red clover seed ordinarily will be refused. The Chief of the Service will use his discretion, however, in approving such applications in unusually meritorious cases.
- (b) The fee for inspection for class and origin of one or more lots of seed of one kind included in one application from a verified-origin seed dealer shall be 3 cents per 100 pounds (receiving weight) with a minimum fee of \$1 for each certificate.
- (c) The fee for inspection for class and origin of one or more lots of seed included in one application from a person who is not a verified-origin seed dealer but who is the producer or who handles only locally-produced seed and who keeps adequate records and agrees to submit such records for examination by an inspector at any time on request and otherwise to comply with the regulations and instructions pertaining to the use of verified-origin seed certificates and the Seed Verification Service shall be 5 cents per 100 pounds, with a minimum fee of \$5 for each certificate plus a charge for the time, travel and other expenses of the inspector in examining records and stocks and performing other duties incidental thereto.

RULE 9

MISCELLANEOUS

Section 1. Advertising.--Verified-origin seed dealers are permitted to advertise verified-origin alfalfa and/or red clover seed in their catalogs, price lists, etc., provided, the advertising is not false or misleading in any particular.

Section 2. Forms of misrepresentation.--Misrepresentation of any facts as to origin or identity of verified-origin seed or of any other seed purporting to be verified-origin seed by verified-origin seed dealers or others or of any seed offered for sale or sold to a verified-origin seed dealer or shipper under a declaration of origin by a grower or shipper is prohibited. The issuance of a verified-origin seed certificate by a verified-origin seed dealer before an inspection certificate has been issued for the lot of seed covered for such certificate is a misrepresentation for which the penalty for misrepresentation may be invoked.

Seed shall not be represented to be verified-origin seed unless it has been covered by an inspection certificate signed by a verified-origin seed inspector even though it may have been covered by a grower's, shipper's or State official's declaration of origin. In the case of the ultimate purchaser or dealer who is not a verified-origin seed dealer, seed is not verified-origin seed unless it bears a tag verified-origin seed certificate properly attached. The term "verified seed" shall not be used instead of "verified-origin seed" as it is likely to be confusing, if not misleading, to the buyer who may not know that verification as to origin alone is covered by the service even though standards of quality are established for seed bearing tag verified-origin seed certificates.

Section 3. Reporting of improper use of service.--It shall be the duty of every inspector and verified-origin seed dealer to report to the Chief of the Service, each and every instance of improper, incorrect, or unauthorized issuance or use made of any verified-origin seed certificate or declaration of origin, or similar reprehensible practice in connection therewith. Any inspector who fails to report such use or practice known to him shall be subject to discipline.

In testimony whereof I have hereunto set my hand in the City of Washington on the 14th day of June, 1940.

C. W. Kitchen
Chief of Service.

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